

9545.0785 AGENCY GOVERNANCE AND ADMINISTRATION.

Subpart 1. **Office in Minnesota.** An agency must maintain an office in Minnesota from which the activities carried out under the license issued by the commissioner are conducted.

Subp. 2. **Space requirements.** An agency must allocate office space in such a way as to ensure confidentiality and safekeeping of records and provide privacy for interviews and conferences with clients and prospective clients.

Subp. 3. **Legal organization.** A license holder or applicant must be organized according to a legal form of association or incorporation under Minnesota Statutes or the laws of another state. An agency incorporated under the laws of another state must have:

A. the certificate of authority to transact business in Minnesota required by Minnesota Statutes, chapter 303; and

B. the records and documents required by parts 9545.0755 to 9545.0845 at the registered office required by Minnesota Statutes, chapters 309 and 317A, or at another agency office in Minnesota listed on a license application.

Subp. 4. **Conflict of interest.** An agency must develop written policies governing situations with potential conflict of interest. It is a potential conflict of interest when a provider supervised by an agency is also a board member of the agency or when a board member is also an applicant to adopt. Agencies that provide foster care services must comply with part 9543.0130, subpart 4.

Statutory Authority: *MS s 245A.03; 317A.907*

History: *18 SR 1593*

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